

Interview Summary	Application No.	Applicant(s)	
	10/808,368	BERGMANN ET AL.	
	Examiner	Art Unit	
	Prema M. Mertz	1646	

All participants (applicant, applicant's representative, PTO personnel):

(1) Prema M. Mertz (Primary Examiner). (3) ____.

(2) Anthony J. Zelano (Attorney). (4) ____.

Date of Interview: 03 November 2008.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.

If Yes, brief description: ____.

Claim(s) discussed: 8-10 and new claim 11.

Identification of prior art discussed: Lubbesmeyer et al (1988), U.S. Patent No. 5,639,617 ('617 patent) and DRG Instruments GmbH.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: It was indicated to Mr. Zelano that Applicants arguments had overcome the rejection of claims 8-10 under 35 U.S.C. 103(a) as unpatentable over Lubbesmeyer et al (1988) in view of U.S. Patent No. 5,639,617 ('617 patent) and DRG Instruments GmbH. Furthermore, authorization was obtained to add new claim 11 by Examiner's amendment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

	/Prema Mertz/ Primary Examiner
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